



## FEE TRANSMITTAL for FY 2005

		Application Number	10/750636
		Filing Date	12/19/2003
		First Named Inventor	Raymond Hebert
		Art Unit	2877
<input checked="" type="checkbox"/> Applicant claims small entity status. See CFR 1.27.		Examiner Name	Akanbi, Isiaka
<b>TOTAL AMOUNT OF PAYMENT</b>	\$65	Attorney Docket Number	NAK-130B/US

### METHOD OF PAYMENT (*Check all that apply*)

- A check or money order is enclosed to cover the filing fees.  
 Payment by credit card. Form PTO-2038 is attached.

### FEE CALCULATION

#### 1. Basic Filing, Search and Examination Fees

Application Type:	Filing Fees		Search Fees		Examination Fees		Fees Paid (\$)
	Fee(\$)	Fee(\$) <i>Small Entity</i>	Fee(\$)	Fee(\$) <i>Small Entity</i>	Fee(\$)	Fee(\$) <i>Small Entity</i>	
Utility	300	150	500	250	200	100	\$0
Design	200	100	100	50	130	65	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. Excess Claims Fees

- 2.1 Each claim over 20 or for reissues, each claim over 20 and more than in the original patent \$50 (\$25 small entity)  
 2.2 Each independent claim over 3, or for reissues, each independent claim more than in the original patent \$200 (\$100 small entity)  
 2.3 Multiple dependent claims \$360 (\$180 small entity)

Total Claims	Threshold	=	Extra Claims	Fee (\$)	
34	- 34	=	0	X \$50 (\$25)	\$0
Indep. Claims	Threshold	=	Extra Claims	Fee (\$)	
2	- 3	=	0	X \$200 (\$100)	\$0
Multiple Dep. Claims				Fee (\$)	
<input type="checkbox"/>				\$360 (\$180)	

#### 3. Application Size Fee

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to whole number). See USC 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Fee (\$)	
_____	- 100 = _____ /50 = _____	X \$250 (\$125)	\$0

#### 4. Other Fee(s)

Non-English specification (\$130 fee, no small entity discount)

Other: Terminal Disclaimer \_\_\_\_\_ 65.00

#### SIGNATURE

Ron Jacobs

PRINTED NAME	Ron Jacobs	TELEPHONE	650-424-0100
DATE	6/21/07	REGISTRATION NUMBER	50,142

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14.  
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JUN 25 2007

PTO/SB/25 (09-04)

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)  
NAK-130B

In re Application of: Raymond Hebert et al.

Application No.: 10/750636

Filed: 12/19/2003

For: Apparatus and Method for Optical Characterization of a Sample Over a Broadband of Wavelengths While Minimizing Polarization Changes

The owner\*, n&k Technology, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/741294, filed on 12/19/2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record. Reg. No. 50,142

  
Signature6/21/07  
DateRon Jacobs  
Typed or printed name650-424-0100  
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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